

Message Text

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ACTION L-03

INFO OCT-01 IO-14 ISO-00 DOE-11 ACDA-12 CIAE-00
DODE-00 PM-05 INR-10 NSAE-00 NASA-02 SOE-02 SS-15
OES-07 DOEE-00 AF-10 ARA-14 EA-12 EUR-12 NEA-10
NSCE-00 INRE-00 SSO-00 HA-05 NRC-07 /152 W
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E.O. 11652: N/A
TAGS: TSPA, UN
SUBJ: OUTER SPACE LEGAL: US STATEMENT 16 MARCH

1. SUMMARY. THIS TEL SUMMARIZES LENGTHY STATEMENT DURING
"GENERAL EXCHANGE OF VIEWS" DELIVERED BY US REP 16 MARCH
TO THE OUTER SPACE LEGAL SUBCOMMITTEE. THIS FOLLOWED
ILLUSTRATED PRESENTATION BY NASA DEPUTY ADMINISTRATOR
LOVELACE TO THE SUBCOMMITTEE 14 MARCH ON CURRENT AND NEAR-
TERM CIVILIAN ACTIVITIES IN SPACE WITH EMPHASIS ON PRACTI-
CAL APPLICATIONS. FULL TEXT OF HOSENBALL STATEMENT
POUCHED MACUK, L/UNA. END SUMMARY.

2. TREATY ON THE MOON. US REVIEWED TRADITIONAL US
POSITION SUPPORTING APPLICATION OF TREATY TO ACTIVITIES
ON ALL CELESTIAL BODIES AND ADVANCE NOTIFICATION OF LUNAR
AND OTHER CB MISSIONS. HE NOTED THE US ADVANCED IN 1972
THE CONCEPT THAT LUNAR AND OTHER CB NATURAL RESOURCES ARE
THE COMMON HERITAGE OF MANKIND AND THAT, IF AND WHEN THEIR
PRACTICAL UTILIZATION BECOMES A REALITY, A CONFERENCE OF
PARTIES TO THE MOON TREATY WILL BE DESIRABLE.

3. DIRECT BROADCAST SATELLITES. US DEL REVIEWED JOINT
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UN/UNESCO PANEL'S ENTHUSIASTIC NOV 77 REPORT ON THE
US-INDIA SATELLITE INSTRUCTIONAL TELEVISION EXPERIMENT AND
NOTED JAPANESE INTEREST IN DBS FOR DOMESTIC USE. STRESSED
IMPORTANCE OF INTERNATIONAL COOPERATION AND SUGGESTED DBS
GUIDELINES GIVE A PRINCIPLE ON THIS FUNDAMENTAL ASPECT
MORE PROMINENT ROLE. REVIEWED PRINCIPAL REMAINING DIFFI-
CULTIES REQUIRING RESOLUTION BEFORE A SET OF MUTUALLY

ACCEPTABLE DBS GUIDELINES CAN BE DEVELOPED. DESCRIBED FORTHCOMING OFFER OF US IN NOV 75 TO INCLUDE IN GUIDELINES A PROVISION RECOMMENDING GIVING OF NOTICE OF INTENTION TO INAUGURATE A DBS SYSTEM AND A SECOND PROVISION CALLING FOR CONSULTATION IF ANOTHER STATE OR STATES SO REQUESTS. NOTED HELPFUL PAPER TABLED BY THE UK AT 1977 SUBCOMMITTEE SESSION ON WARC 77 RESULTS. REITERATED CONTINUING ADHERENCE TO FUNDAMENTAL HUMAN RIGHT EMBODIED IN ART 19 OF UNIVERSAL DECLARATION OF HUMAN RIGHTS THAT EVERY PERSON HAS INALIENABLE RIGHT TO "SEEK, RECEIVE AND IMPART INFORMATION AND IDEAS THROUGH ANY MEDIA AND REGARDLESS OF FRONTIERS." REMINDED THAT US CANNOT ACCEPT CONCEPT OF PRIOR CONSENT AND IS UNABLE FOR THIS REASON TO ACCEPT THE (CANADIAN/SWEDISH) FORMULATION THAT DBS SHOULD TAKE PLACE ONLY ON THE BASIS OF "AGREEMENTS AND/OR ARRANGEMENTS BETWEEN STATES" BECAUSE IT IS OPEN TO THE ABUSIVE INTERPRETATION THAT PRIOR CONSENT IS REQUIRED BEFORE ESTABLISHING A DBS SYSTEM OF INITIATING A PARTICULAR BROADCAST. SAID US DEL IS PREPARED TO JOIN IN DISCUSSIONS TO SEE IF EXISTING WIDE GAP CAN BE NARROWED.

4. REMOTE SENSING. US DEL REVIEWED IN SOME DETAIL EXTREMELY USEFUL WORK BEING DONE BY OUTER SPACE SCIENTIFIC & TECHNICAL SUBCOMMITTEE AND NOTED LEGAL SUBCOMMITTEE'S NEED FOR KNOWLEDGE IN DEPTH OF THAT WORK. REVIEWED PRE-OPERATIONAL LANDSAT SYSTEM ACHIEVEMENTS UNCLASSIFIED

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INCLUDING LAUNCHING OF LANDSAT 3 THIS MONTH, GROWING INTERNATIONAL NETWORK OF GROUND DATA CENTERS IN MANY COUNTRIES AND WIDE VARIETY OF LANDSAT PROJECTS IN 1977. OBSERVED THAT POLLUTION DETECTION AND ENVIRONMENTAL MONITORING MAY BECOME AS IMPORTANT AS ECONOMIC RESOURCE SURVEYING, NOTING THAT THE DRAFT GUIDELINES MAY NEED TO BE LOOKED AT AGAIN IN THIS CONTEXT. NOTED SECRETARIAT-COSPAR STUDY ON EARTH RESOURCES CHARACTERISTICS AND CAPABILITIES AND ABSENCE OF ANY APPARENT SCIENTIFIC BASIS FOR CATEGORIZING REMOTE SENSING DATA AS GLOBAL, REGIONAL AND LOCAL ON BASIS OF SPATIAL, TEMPORAL, SPECTRAL OR RADIOMETRIC RESOLUTION. STRESSED IMPORTANCE US ATTACHES TO ROLE OF EDUCATION, TRAINING AND TECHNICAL ASSISTANCE AND UNDERSTANDING OF LDC CONCERN THAT REMOTE SENSING TECHNOLOGY NOT WIDEN GAP BETWEEN DEVELOPED COUNTRIES AND LDC'S.

3. GEOSTATIONARY ORBIT. STATED THERE IS NO TECHNICAL OR LEGAL BASIS FOR CONSIDERING THAT GEOSTATIONARY ORBIT DOES NOT LIE IN OUTER SPACE. SAID UNILATERAL ASSERTIONS OF SOVEREIGNTY DO NOT SERVE GOAL OF ASSURING FREE AND EQUITABLE USE OF OUTER SPACE BY ALL NATIONS.

6. NUCLEAR POWER SOURCES IN SPACE. RECALLED EXTENSIVE DESCRIPTION OF US USE OF NUCLEAR POWER SOURCES GIVEN TO SCIENTIFIC & TECHNICAL SUBCOMMITTEE. NOTED DIFFERENT SAFETY IMPLICATIONS OF NUCLEAR REACTORS VERSUS RADIO-ISOTOPE THERMOELECTRIC GENERATORS AS WELL AS LOW-EARTH ORBIT VERSUS HIGH-ALTITUDE ORBIT AND DISTANT SPACE TRAJECTORY. RECALLING NEED FOR A COMPETENT SCIENTIFIC FACT-FINDING INVESTIGATION, FORESAW THREE PRINCIPAL ELEMENTS (SAFETY, NOTIFICATION, ASSISTANCE) OF A BINDING MULTILATERAL LEGAL REGIME REGARDING USE OF NUCLEAR POWER SOURCES IN SPACE (QUOTING THREE ELEMENTS FROM US STATE-

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MENT OF 14 FEB BEFORE S & T SUBCOMMITTEE).

7. THANKED CHAIRMAN FOR SEEKING TO GUIDE SUBCOMMITTEE IN COOPERATIVE MANNER WITH VIEW TO REACHING COMMITTEE-WIDE ACCOMMODATION.

8. PARAGRAPH HEADED "GEOSTATIONARY ORBIT" SHOULD BE NUMBERED PARAGRAPH 5. VANDEN HEUVEL

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